

VIA ELECTRONIC AND FIRST CLASS MAIL

Michael Bayes, Esq. Holtzman Vogel Josefiak Torchinsky PLLC 45 North Hill Drive, Suite 100 Warrenton, VA 20186 jmbayes@hvjlaw.com

JUN - 6 2018

RE: MUR 7365 (Let America Work)

Dear Mr. Bayes:

On May 30, 2018, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 52 U.S.C. § 30104(g)(1), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Disclosure of Certain Documents in Enforcement and Other Matters, 81 Fed. Reg. 50,702 (Aug. 2, 2016). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Roy Q. Luckett

Attorney

Enclosure
Conciliation Agreement

1	BEFORE THE FEDERAL ELECTION COMMISSION						
2 3 4	In the Matter of)				
	Benjamir	ca Work and Ottenhoff in his apacity as treasurer)))	MUR 7365			
5	CONCILIATION AGREEMENT						
6 7	This matter was initiated by a sua sponte submission ("Submission") filed with the						
8	Federal Election Commission (the "Commission") by Let America Work and Benjamin						
9	Ottenhoff in his official capacity as treasurer ("Respondent" or "Committee") and pursuant to						
10	information ascertained by the Commission in the normal course of carrying out its supervisory						
11	responsibilities. The Commission found reason to believe that the Committee violated 52 U.S.C.						
12	§ 30104(g)(1).						
13	NOW, THEREFORE, the Commission and the Respondent, having participated in						
14	informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree						
15	as follows:		·				
16	I. Th	e Commission has jurisdiction	n over the Respond	ent and the subject matt	er of		
17	this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C.						
18	§ 30109(a)(4)(A)(i) (formerly 2 U.S.C. § 437g(a)(4)(A)(i)).						
19	II. Re	spondent has had a reasonable	e opportunity to de	monstrate that no action	should		
20	be taken in this matter.						
21	III. Re	spondent enters voluntarily is	nto this agreement v	with the Commission.	~ 2		
22	IV. Th	e pertinent facts in this matte	r are as follows:				

- 1 1. The Committee is an independent-expenditure-only political committee that 2 registered with the Commission on August 4, 2015. Benjamin Ottenhoff is the Committee's
- 3 treasurer of record.
- 4 2. The Federal Election Campaign Act of 1971, as amended, requires committee
- 5 treasurers to file reports of receipts and disbursements in accordance with the provisions of
- 6 52 U.S.C § 30104(b). 52 U.S.C. § 30104(a)(1). This requirement includes reporting
- 7 contributions received and independent expenditures made by political committees other than
- 8 authorized committees. 52 U.S.C. §§ 30104(b)(2)(A), (4)(H)(iii); 11 C.F.R. §§ 104.3(a)(2)(i),
- 9 (b)(1)(vii), 104.4(a).
- 3. Further, political committees that make independent expenditures aggregating
- \$1,000 or more with respect to a given election after the 20th day, but more than 24 hours, before
- the date of that election, must disclose them within 24 hours following the date of dissemination.
- 52 U.S.C. § 30104(g)(1); 11 C.F.R. § 104.4(c). In addition, political committees must file
- 14 additional reports within 24 hours after each time they make or contract to make independent
- expenditures aggregating an additional \$1,000. 11 C.F.R. § 104.4(c).
- 4. On December 2, 2016, the Committee filed its Submission noting that it made one
- independent expenditure in the amount of \$324,821 to Stick & Rudder Strategies, Inc. for media
- 18 services in opposition of Russell Feingold. Although the Committee disseminated this
- independent expenditure on October 31, 2016, it failed to disclose it on a 24-Hour Report. On
- November 30, 2016, the Committee filed a 24-Hour Report including this independent
- 21 expenditure. The Committee also disclosed the independent expenditure on its 30-Day Post-
- 22 General Report filed on December 8, 2016.

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- 1 V. Respondent violated 52 U.S.C. § 30104(g)(1) by failing to timely file the
- 2 appropriate 24-Hour Report of an independent expenditure totaling \$324,821.
- VI. 1. Respondent will pay a civil penalty to the Commission in the amount of
- 4 Twelve Thousand Five Hundred Dollars (\$12,500) pursuant to 52 U.S.C. § 30109(a)(5)(A).
- 5 2. Respondent will cease and desist from committing violations of 52 U.S.C.
- 6 § 30104(g)(1).
- 7 VII. The Commission, on request of anyone filing a complaint under 52 U.S.C.
- 8 § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review
- 9 compliance with this agreement. If the Commission believes that this agreement or any
- requirement thereof has been violated, it may institute a civil action for relief in the United States
- 11 District Court for the District of Columbia.
- VIII. This agreement shall become effective as of the date that all parties hereto have
- executed same and the Commission has approved the entire agreement.
- 14 IX. Respondent shall have no more than 30 days from the date this agreement
- becomes effective to comply with and implement the requirements contained in this agreement
- and to so notify the Commission.

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1	X. This Conciliation Agreement constitutes the entire agreement between the partie				
2	on the matters raised herein, and no other statement, promise, or agreement, either written or				
3	oral, made by either party or by agents of either party, that is not contained in this written				
4	agreement shall be enforceable.				
5	5	·			
6	FOR THE COMMISSION:				
7	7				
8 9 10 11	Kathleen Guith Associate General Counsel	6-5-18 ate			
12	2				
13	FOR THE RESPONDENT:	·			
14	1 Charles	5/17/2018			
15	Michael Bayes D	ate !:			
16	6 Counsel to Let America Work				